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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/378,969 08/23/99 HAVEKOST

R F0467/7006 (W)

EXAMINER

WM02/0703

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BOSTON MA 02210-2211

HARRISON, C

ART UNIT

PAPER NUMBER

2672

DATE MAILED:

07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/378,969

Applicant(s)

HAVEKOST ET AL.

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 3-9, 11-19, 22-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X.

As per independent claim 1, Baker discloses generating and displaying a trend chart having values of selected process parameters during a selected time window (abstract; col. 2, ll. 61 et seq.), generating and displaying an event table describing process events related to the process parameters during the selected time window (FIG. 6).

As per dependent claim 3, Baker discloses the chart is a line graph (FIG. 20 & 28).

As per dependent claims 4 and 11, Baker discloses saving the chart (col. 7, ll. 10 et seq.).

As per dependent claims 5 and 12, Baker discloses selecting data associated with configuration of a saved chart (col. 10-11, ll. 66 et seq.).

As per dependent claim 6, Baker discloses selecting an event marker and highlighting the event on the table associated with the selected marker (FIG. 20).

As per dependent claims 7 and 13, Baker discloses selecting an event displayed in the table and highlighting the associated event marker (FIG. 20).

As per dependent claim 8, Baker discloses displaying the event markers as event names (FIG. 6).

As per dependent claim 9, Baker discloses a controller (col. 4, ll. 40 et seq.), an I/O system (FIG. 1), and a computer (FIG. 1). The rejection as applied to independent claim 1 is included herein.

As per independent claim 14, Baker discloses one display area displaying a trend line representing a parameter associated with a process (FIG. 6; col. 5, ll. 20 et seq.), a second display area displaying process event data (FIG. 6) and an event marker related to a process event (col. 6, ll. 22 et seq.) and displayed in the first display area (FIG. 6).

As per dependent claim 15, Baker discloses the first area includes multiple trend graphs and a separate y-axis scale for each graph (FIG. 28).

As per dependent claim 16, Baker discloses data representing process events includes a time of occurrence (col. 2, ll. 60 et seq.).

As per independent claim 17, Baker discloses a database of event records (col. 7, ll. 20 et seq.), a trend database having historical data (col. 7, ll. 30 et seq.), simultaneously displaying historical trend data and event records related to the trend data (FIG. 4).

As per dependent claim 18, Baker discloses selecting a portion of the trend data and event records to display (col. 6, ll. 22 et seq.; col. 2, ll. 60 et seq.).

As per dependent claim 19, Baker discloses the portion displayed is a time interval... (col. 2, ll. 60 et seq.).

As per dependent claim 22, Baker discloses configuring the trend graph and a file containing configuration data and filter settings from previous trend graphs... (col. 8, ll. 47 et seq.; col. 10, ll. 66 et seq.).

As per independent claim 23, Baker discloses a system having components as claimed in the user interface of claim 14 and the system of claim 17. Therefore the rejection as applied to claims 14 and 17 are included herein.

As per dependent claim 24, Baker discloses event markers displayed in a first region (FIG. 4 '60') and linking a portion of the table of event records to a portion of the event markers (col. 7, ll. 5 et seq.).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X.

As per dependent claims 2, 10 and 20, Baker discloses displaying event markers indicating the events (FIG. 4), but fails to disclose displaying their times. However it would have been obvious to one of skill in the art to use the disclosure of Baker because he teaches associating time with events so that users can re-scale trend data for viewing (col. 2, ll. 60 et seq.).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michael Baker et al., U.S. Patent 5,226,118, 7/1993, 345/440X and further in view of Thomas Hanson, EP 0508386 A2, 10/1992.

As per dependent claim 21, Baker fails to disclose a run time database having current trend data and displaying the data, which is disclosed by Hanson (pg. 2, ll. 54 et

Art Unit: 2672

seq.). It would have been obvious to combine the disclosures because Baker stores data on disk for selection, analysis and display and Hanson discloses the same being performed in real-time or stored in a database for future use (pg. 5-6, ll. 55 et seq.).



Art Unit: 2672

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chante Harrison whose telephone number is 703-305-3937. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 703-305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6606 for regular communications and 703-305-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

ceh  
June 21, 2001



**MATTHEW LUU**  
**PRIMARY EXAMINER**

**Attachment for PTO-948 (Rev. 03/01, or earlier)**  
**6/18/01**

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

**INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

**1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

**2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

**Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.